

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appl. No. 10/052,911
Attorney Docket No.: Q68203

The Examiner has indicated receipt of the certified copy of the Priority Document.

Summary of the Office Action

The Examiner withdrew the previous rejections. The Examiner, however, found new grounds for rejecting the claims. Claims 1-16 stand rejected under 35 U.S.C. § 103(a).

Prior Art Rejections

Claims 1-7 and 9-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,317,156 to Nagasaki (hereinafter “Nagasaki”) in view of JP 2001-133874 to Kindaichi et al. (hereinafter “Kindaichi”) and claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasaki in view of Kindaichi, and further in view of U.S. Patent No. 6,201,571 to Ota (hereinafter “Ota”). Applicant respectfully traverses these rejection by removing Kindaichi as a prior art reference.

That is, submitted herewith is a verified English-language translation of the Japanese priority document (JP 2001-016918). Each of the claims 1-16 is respectfully submitted to be fully supported by the Japanese priority document. The filing of the English-language translation perfects Applicant’s claim to benefit from the foreign priority date of January 25, 2001 with respect to all of Applicant’s claims.

In view thereof, and since the earliest effective date of the Kindiachi patent as a reference is its publication date of May 18, 2001 (which is later than January 25, 2001), Kindaichi is removed as a reference. These rejections of claims 1-16 are based on Kindaichi. Since Kindaichi is not a prior art reference, these rejections are thus literally moot. Accordingly, it is appropriate and necessary for the Examiner to withdraw these rejections.

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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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